

February 13, 2006
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, February 13, 2006, was called to order at 7:00 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, GARY BERRY, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (7/0). Alderman MARTIN GIPSON was absent. City Clerk Diane Whitbey and Deputy City Attorney Jason Carter were also present.

The invocation was given by Alderman Parker, followed by the pledge of allegiance to the flag which was led by Alderman Berry.

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the minutes from a regular council meeting held on January 23, 2006, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the blanket motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, communications # 2, 4, 5, 6, 7, 8, 9, 10 and 11 were accepted and filed (7/0).

2. Sharon Tedford, Mayor's Office memorandum re: new restaurant mixed drink application for Arkansas Queen, 100 Riverfront Park by Robert M. Lumppp.
4. Sharon Tedford, Mayor's Office memorandum re: application for Sunday Alcoholic Beverage Sales - Restaurant Wine and Beer for American Pie Pizza, 4830 North Hills Boulevard by Melody Williford.
5. Sharon Tedford, Mayor's Office memorandum re: application for Sunday Alcoholic Beverage Sales - Restaurant Mixed Drink for El Porton Mexican Restaurant by Gonzalo M. Garcia.
6. Sharon Tedford, Mayor's Office memorandum re: Restaurant Mixed Drink and Sunday Beverage - Change of Manager for Roadhouse Grill, 3500 Landers Road by Juan A. Rios.
7. Sharon Tedford, Mayor's Office memorandum re: Retail Beer Off Premises Replacement for Joy Mart of AR., Inc. (f/k/a Lee's Mart), 4800 MacArthur Drive by Won Kwang Yi.
8. Bob Sisson, Finance Director, copy of December 31, 2004, Audit of City of North Little Rock (prepared by Current and Gardner, CPA's).
9. Bessie M. Atterberry, 112 W. 54th Street, letter to Mayor Hays and City Council members re: complaint on behalf of James Ard and recent Code Citation.
10. Sharon Tedford, Mayor's Office memorandum re: new restaurant mixed drink permit for Krome Billiards (f/k/a Spirits Bar & Grill), 2710 Pike Avenue (Spirits Bar & Grill permit cancelled 1-31-06) by Sheri Lee Elliott.
11. Letter via US Mail from "Hard working employee of the City of LR, A resident of the NLR" re: objection to smoke free directive for all public places in Little Rock.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, communication #1 was read by title, accepted and filed (7/0).

1. Mayor Patrick H. Hays letter to Mr. Jack D. Wilson, Country Club Development re: continued commitment to provide services to 40 acres as described in letter dated May 18, 2005.

On the motion of Alderman Hight and seconded by Alderwoman Robinson, and by consent of all members present, communication #3 was read by title, accepted and filed (7/0).

3. Alice Hicks (via US Mail) Petition to Rename Street, Tinsman Court to Valley Creek Pointe (signed by James Matthews) and copy of memorandum from Wade Dunlap, City Planner stating no objection to renaming of said street.

Mayor Hays asked Mr. Carter to prepare a resolution for the next council meeting regarding the same. Alderman Hight said there were no houses on the street and the rename was to correct a platting error.

On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, communication #12 was read, accepted and filed (7/0).

12. Ron Rizzardi, Bicycle Advocacy of Central Arkansas (BACA) re: bicycle plan.

On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, communication #13 was read by title, accepted and filed.

13. Alderman Witcher, letter to Mayor Hays re: proposed overlay sign district for John F. Kennedy Boulevard and requesting public hearing be scheduled for February 27, 2006.

Mayor Hays scheduled a public hearing for Monday, February 27, 2006 at 7:05 p.m.

Mayor Hays invited Ms. Patty Jones, North Little Rock Animal Control to come forward to discuss the Animal Shelter. Ms. Jones and Mayor Hays played a trick on Shelter Director, Billy Grace then included other shelter employees who were present along with members of North Little Rock Friends of Animals. No adoptable animal has been euthanized during the past three years. Ms. Jones also thanked the council and city attorney for their assistance. During the time Mr. Grace has been at the shelter, kennels have increased to over 80 and a mobile adoption unit was added. The shelter is divided into three areas (quarantine, adoption and pending court cases). Since Mr. Grace has been at the shelter, all of the animal control officers for North Little Rock have received national certification. Ms. Joy Stevens joined the shelter as a volunteer and to head up Friends of Animals. Mayor Hays reiterated Ms. Jones comments and presented a plaque to Mr. Grace thanking him for 10 years of service and what he has done for the citizens and animals of North Little Rock.

Mayor Hays invited Mr. Jon Swanson, Executive Director of MEMS to come forward. Mr. Swanson introduced Ms. Delois Sykes and Mr. Harrison Dean who represent North Little Rock on the MEMS Board. Mr. Swanson provided a power point

presentation. Mr. Swanson reviewed past service and standards along with the annual budget. The Medicare fee schedule was reviewed and effects on the area were discussed including response times.

Mayor Hays convened public hearings on the following items and advised a vote would be taken on February 27, 2006:

7:33 p.m., O-06-06, annexing a pocket of land to be known as the “Crystal Pocket Annexation”. There being no one present wishing to be heard, Mayor Hays recessed the public hearing until February 27, 2006, at 7:05 p.m.

7:34 p.m., O-06-07, annexing a pocket of land to be known as the “Faulkner Lake Area #3 Pocket Annexation”. There being no one present wishing to be heard, Mayor Hays recessed the public hearing until February 27, 2006, at 7:05 p.m.

7:35 p.m., O-06-08, annexing a pocket of land to be known as the “Faulkner Lake Area #2 Pocket Annexation”. There being no one present wishing to be heard, Mayor Hays recessed the public hearing until February 27, 2006, at 7:05 p.m.

7:36 p.m., O-06-09, annexing a pocket of land to be known as the “Faulkner Lake Area #1 Pocket Annexation”. Ms. Irene Sanders has land in the area where her family raises cattle. Money from the cattle business supplements her income and would cause a financial hardship if she could no longer farm cattle. She does not want to be in the city. Ms. Sanders son Terrence reiterated his mother’s comments, along with Robert Cooney, her nephew. Jason Taylor owns 100 acres of wetland which he uses for duck hunting and does not want to be in the city because of the gun laws. Billy Taylor also owns 100 acres of wetland which is used for hunting and does not want to lose that privilege. Mr. Taylor referenced the city code regarding firearms in the city. (Inaudible) Thomas has hunted in the area for 30 years and doesn’t want the area annexed. Terrence Underwood spoke against the annexation and supported Ms. Sanders ability to keep cattle on her land. The land has been in the family for a long time and Mr. and Mrs. Sanders raised their children there. Mayor Hays recessed the public hearing until February 27, 2006, at 7:05 p.m.

Mayor Hays recessed the meeting briefly. The meeting was then reconvened.

7:53 p.m., O-06-10, establishing the Camp Robinson Road Sign Overlay District and amending Ordinance No. 7697 (the Zoning Ordinance). There being no one present wishing to be heard, Mayor Hays recessed the public hearing until February 27, 2006, at 7:05 p.m.

7:55 p.m., O-06-18, to establish the North Little Rock Municipal Property Owners’ Multipurpose Improvement District No. 25 (North Bluffs Project). There being no one present wishing to be heard, Mayor Hays adjourned the public hearing.

There being no objection from any council member, Mayor Hays called R-06-15 and R-06-16.

R-06-15 (RESOLUTION NO. 6888 - MAYOR HAYS)

A RESOLUTION REAPPOINTING TOM BROWN TO THE PLANNING COMMISSION BOARD OF ADJUSTMENT AND APPEALS, AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was adopted (7/0). Mayor Hays thanked Mr. Brown for all he and his wife Faye do for the City of North Little Rock. They are lifelong residents of the city they love.

R-06-16 (RESOLUTION NO. 6889 - MAYOR HAYS)

A RESOLUTION APPOINTING DR. DAVID BEVANS TO THE UNEXPIRED TERM OF BILL SOWELL ON THE LAKEWOOD RECREATIONAL AREA IMPROVEMENT DISTRICT NO. 4 BOARD OF ASSESSMENT; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. On the motion of Alderman Bryant and seconded by Alderman Witcher, and by consent of all members present, the resolution was amended as follows:: *delete AREA and BOARD OF ASSESSMENT in title, first whereas, second whereas and Section 1* (the correct board is the **Lakewood Recreational Improvement District No. 4**) (7/0). On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the resolution was adopted as amended (7/0). Mayor Hays thanked Dr. Bevans for his commitment to the city and working with the Sister Cities program. Dr. Bevans agreed with Mr. Brown’s comments regarding North Little Rock.

UNFINISHED BUSINESS

O-05-98

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF HIGHWAY 165 IN SPANISH LAND GRANT #2417 TO BE TITLED “SPANISH LAND GRANT COMMERCIAL DISTRICT POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “SPANISH LAND GRANT COMMERCIAL DISTRICT POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on December 12, 2005, was read a second time on December 22, 2005. A public hearing was held January 9, 2006, and reconvened January 23, 2006, and adjourned, was called and held at the request of the sponsor, Mayor Hays.

O-05-101

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF CRYSTAL HILL ROAD AND NORTH OF NORTH SHORE BUSINESS PARK TO BE TITLED “YOUNG ROAD POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “YOUNG ROAD POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on December 12, 2005, was read a second time on December 22, 2005. A public hearing was held January 9, 2006, and reconvened January 23, 2006, and adjourned, was called and held at the request of the sponsor, Mayor Hays.

O-05-102

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF HIGHWAY 165 AND NORTH OF WILLOW BEACH ROAD TO BE TITLED “BROWN FULKERSON POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “BROWN FULKERSON POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time on December 12, 2005, was read a second time on December 22, 2005. A public hearing was held January 9, 2006, and reconvened January 23, 2006, and adjourned, was called and held at the request of the sponsor, Mayor Hays.

O-06-06

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED SOUTH OF CRYSTAL HILL ROAD AND WEST OF WHITE OAK DRIVE TO BE TITLED “CRYSTAL POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “CRYSTAL POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held this date and recessed until February 27, 2006. The legislation was then held at the request of the sponsor, Mayor Hays.

O-06-07

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF I-440, SOUTH OF FAULKNER LAKE ROAD, WEST OF HIGHWAY 391 AND NORTH OF HIGHWAY 165 TO BE TITLED “FAULKNER LAKE AREA #3 POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “FAULKNER LAKE AREA #3 POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held this date and recessed until February 27, 2006. The legislation was then held at the request of the sponsor, Mayor Hays.

O-06-08

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED EAST OF I-440, NORTH OF FAULKNER LAKE ROAD, WEST OF HIGHWAY 391 AND SOUTH OF I-40 TO BE TITLED “FAULKNER LAKE AREA #2 POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “FAULKNER LAKE AREA #2 POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held this date and recessed until February 27, 2006. The legislation was then held at the request of the sponsor, Mayor Hays.

O-06-09

AN ORDINANCE ANNEXING A POCKET OF LAND LOCATED WEST OF I-440 AND SOUTH OF HIGHWAY 70 AND NORTH OF FAULKNER LAKE ROAD TO BE TITLED “FAULKNER LAKE AREA #1 POCKET ANNEXATION” TO THE CITY OF NORTH LITTLE ROCK, ARKANSAS, AND MAKING THE “FAULKNER LAKE AREA #1 POCKET ANNEXATION” A PART OF THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read two times January 23, 2006. A public hearing was held this date and recessed until February 27, 2006. The legislation was then held at the request of the sponsor, Mayor Hays.

O-06-10

AN ORDINANCE ESTABLISHING THE CAMP ROBINSON ROAD SIGN OVERLAY DISTRICT AND AMENDING ORDINANCE NO. 7697, THE NORTH LITTLE ROCK ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time January 23, 2006. A public hearing was held this date and recessed until February 27, 2006. The legislation was read a second time and held at the request of the sponsor, Alderman Witcher.

O-06-14

AN ORDINANCE ALLOWING A SPECIAL USE FOR A MANUFACTURED HOME IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 7940 MACARTHUR DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read one time January 23, 2006 (applicant: Bobby Price). The ordinance was read a second time. On the motion of Alderman Berry and seconded by Alderman Parker, and by consent of all members present, the rules were suspended and the ordinance was placed on its third and final reading (7/0). On the motion of Alderman Berry and seconded by Alderman Parker, and the roll having been called, and the following Aldermen having voted in the affirmative, Thomas and Berry, and the following Aldermen having voted no, Bryant, Robinson, Parker, Hight and Witcher, the motion to adopt failed (2/5).

NEW BUSINESS

R-06-17

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH AERIAL PATROL, INC.; AND FOR OTHER PURPOSES, was read and held at the request of the sponsor, Mayor Hays.

R-06-18 (RESOLUTION NO. 6890 - MAYOR HAYS)

A RESOLUTION CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF RUBBER AND GASKET COMPANY OF AMERICA, INC., TO PARTICIPATE IN THE TAX BACK PROGRAM AS AUTHORIZED BY ARK. CODE ANN. § 15-4-2706 (D) OF THE CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted (7/0).

R-06-19 (RESOLUTION NO. 6891 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH TAGGART, CURRENCE, GRAY ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES ON ADDITIONS TO THE SENIOR CITIZENS CENTER; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all member present, the resolution was adopted (7/0). Mayor Hays advised members of the Senior Citizens Commission would make a presentation to the council in March.

R-06-20 (RESOLUTION NO. 6892 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH TAGGART, CURRENCE, GRAY ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES FOR THE NEW GYMNASIUM AT NORTH HEIGHTS COMMUNITY CENTER; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the resolution was adopted (7/0).

R-06-21 (RESOLUTION NO. 6893 - MAYOR HAYS)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN INTERLOCAL AGREEMENT FOR ADMINISTRATION OF A DAY PROGRAM AT THE PULASKI COUNTY REGIONAL DETENTION FACILITY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Parker and seconded by Alderman Berry, and by consent of all members present, the resolution was adopted (7/0).

R-06-22 (RESOLUTION NO. 6894 - ALDERMEN THOMAS AND ROBINSON)

A RESOLUTION ACCEPTING THE LOW BID OF TANKERSLEY COMPANY, INC. FOR ATKINSON STREET IMPROVEMENTS IN THE CITY OF NORTH LITTLE ROCK; AND FOR OTHER PURPOSES, was read. Alderman Thomas requested Alderwoman Robinson be added as cosponsor. On the motion of Alderman Thomas and seconded by Alderwoman Robinson, and by consent of all members present, the resolution was adopted (7/0).

R-06-23

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FIVE-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT BETWEEN THE CITIES OF NORTH LITTLE ROCK AND LITTLE ROCK, ARKANSAS TO ALLOW METROPOLITAN EMERGENCY MEDICAL SERVICES AND NON-EMERGENCY ROUTINE TRANSPORTS IN NORTH LITTLE ROCK PURSUANT TO AN EXCLUSIVE FRANCHISE; AND FOR OTHER PURPOSES, was called and held at the request of the sponsor, Mayor Hays.

O-06-15

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 7001, CODIFIED AS NORTH LITTLE ROCK MUNICIPAL CODE § 38-56, 38-63 (2) AND 38-63 (4), REGULATING AMBULANCE SERVICES, TO PROVIDED FOR BASIC LIFE SUPPORT (BLS) AMBULANCE TRANSFERS NECESSITATED BY CHANGES IN MEDICARE REIMBURSEMENT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time and held at the request of the sponsor, Mayor Hays.

O-06-16

AN ORDINANCE REPEALING ORDINANCE NO. 7627 WHICH ALLOWED A SPECIAL USE FOR A DAY CARE AT CERTAIN REAL PROPERTY LOCATED AT 1500 W. PERSHING IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read (applicant was: Cynthia Foote). On the motion of Alderman Berry and seconded by Alderman Bryant, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time. Alderwoman Robinson asked Ms. Foote questions regarding the repeal. Mr. Ricky Hicks (Ms. Foote's attorney) advised she was not in violation as referenced in the ordinance. Mr. Hicks said the applicant had met the requirements in item (1). One side of the fence is not complete, but is being completed at this time, including fencing around the air conditioner. Currently, there are 38 children at the daycare. There is no dumpster on site to screen and the landscaping is fine. An entrance/exit on Pershing Circle exists. Mr. Hicks said his client has a license from the Department of Human Services (DHS). Alderman Bryant asked why Ms. Foote denied access to the daycare when the Code Officer came by to perform an inspection. Mr. Hicks advised the food service permit is not an issue as Ms. Foote does not prepare meals. The food comes to the site individually wrapped and packaged or the parents provide the food. Food is not cooked on the premises. Ms. Foote said the day the code officer came it was during the time she was preparing lunch for the children. Mayor Hays asked why code officers were not given permission to inspect the premises. Ms. Foote said he was given permission but asked to come back in 30 to 40 minutes to allow her time to finish with lunch for the children. Alderwoman Robinson asked how many people work in the facility. She said four North Little Rock Police Officers served the warrant (Ms. Foote said there were 12). If the ordinance is revoked, would she be able to keep four kids in here home. In the report, the safety and well-being of the children were sited. Alderwoman Robinson asked if Ms. Foote would be listed on a registry and would it effect her getting a job. Mr. Carter said the matter before the council is strictly the repeal of the ordinance allowing a special use permit. The peace, health and welfare of the citizens has to be considered. Alderman Berry asked if she had an operating license at the time of the report. Mr. Hicks said there is a letter of intent to revoke the license and a hearing is scheduled for March 21, 2006 at the Department of Human Services (DHS). Ms. Foote said she mailed a check, but has not received the permit. Mr. Carter said the matter before the council is an administrative issue. Mr. Russell Elrod, Code Officer advised on January 24, 2006, he had previously received information from Ms. Foote that she prepared food on site and went by to perform a routine health inspection. He was advised by the State Health Department that Ms. Foote did not have a permit to prepare food on site. Mr. Doug Williams, Licensing Supervisor with DHS advised Ms. Foote's licensed had been revoked and she was operating while on appeal. Compliance with "fall zone surfacing" requirements had not been met. Mr. Elrod said after access was denied, a search warrant was obtained from Judge Randall Morley. Mr. Elrod observed food in an electric skillet, which Ms. Foote said she had prepared at her home. Alderman Thomas asked if any parents were present who wanted to speak about the day care. Mr. Elrod had photographs of the outside of the facility but not inside. Mr. Elrod said he visited the day care in November, 2005, at the request of the Fiscal Control officer for not having a city business license. Ms. Kay Harrison has a child at Child's Heart Daycare. She asked the council to allow Ms. Foote more time. She works and cannot find a new daycare overnight. Her oldest child attended Ms. Foote's daycare in Little Rock and she has never had a problem with any of her facilities, no food poisoning or any thing like that. Ms. Sharon Brown said as a parent and citizen of the city, she had searched for a daycare. Out of five, Ms. Foote's daycare was the best. She looked at cleanliness, how the workers deal with the children and education. Her grandchild was injured but she didn't get upset. She is upset that 12 Police Officers had to take care of something at the daycare that should have been taken care of a year ago. Ms. Brown will help Ms. Foote and said she is doing a wonderful job. She asked Ms. Foote be given more time. Mr. Richard Parker is a full time parent and student and said it was hard to find a daycare where his son would be safe. His son was bit on the face at another location. He hasn't had any problems at this day care. Ms. Latonia Webb has two children at the daycare. Her oldest child has been in three daycares. This is the safest daycare he has been in. The environment is structured and clean. Ms. Alana Johnson lives in Scenic Hill. This daycare is convenient for her. These issues are important. She would pay more for daycare if she could. Between her house on Scenic Hill and Camp Robinson where she works, there isn't a better place. Her child has not been sick in the 15 months he has been there and asked she be given more time. Mayor Hays asked Ms. Foote to cooperate with city representatives when they come to her facility. Alderman Parker advised the intent of the ordinance is

not related to the operation, necessity or ability of the daycare. The issue is to insure the provisions of the original ordinance are adhered to and two years have passed since that ordinance was adopted. The issues regarding food service are separate from this item. A better job needs to be done when issuing permits. Ms. Foote needs to be given a reasonable time to comply. The legislation was then held at the request of the sponsor, Alderman Parker. Mayor Hays asked the code officer to check the property February 27, 2006, and report to the council at the next meeting.

O-06-17 (ORDINANCE NO. 7786 - MAYOR HAYS)

AN ORDINANCE AUTHORIZING ACCEPTANCE OF GRANTS FROM THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE PURCHASE OF COMMUNICATION EQUIPMENT; WAIVING FORMAL BIDDING REQUIREMENTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Witcher and seconded by Alderman Berry, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-06-18 (ORDINANCE NO. 7787 - MAYOR HAYS)

AN ORDINANCE ESTABLISHING THE CITY OF NORTH LITTLE ROCK MUNICIPAL PROPERTY OWNERS' MULTIPURPOSE IMPROVEMENT DISTRICT NO. 25 (NORTH BLUFFS PROJECT); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderman Hight, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading (7/0). The ordinance was read a third and final time. The ordinance was then held at the request of the sponsor Mayor Hays to allow Mr. Carter time to check on a legal issue. Mr. Carter advised there is no delay mandated between the time of public hearing and a vote. On the motion of Alderman Witcher and seconded by Alderman Berry, and the roll having been called, and all members present, having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0).

O-06-19

AN ORDINANCE AMENDING THE MASTER STREET PLAN ORDINANCE (NO. 7178) TO ALLOW A COLLECTOR ROAD BETWEEN PIKE AVENUE AND PAUL DUKE DRIVE AND A ROUND-ABOUT LOCATED AT THE INTERSECTION OF PIKE AVENUE, RIVERFRONT DRIVE AND WEST BROADWAY STREET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Hight and seconded by Alderman Witcher, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time and held at the request of the sponsor, Mayor Hays. A public hearing was scheduled for 7:05 p.m on Monday, February 27, 2006.

O-06-20

AN ORDINANCE SUSPENDING THE ISSUANCE OF BUILDING PERMITS BY AGENTS OF THE CITY TO PERSONS PLANNING CONSTRUCTION IN THE PROPOSED ZONE NORTH AND SOUTH OF RIVER ROAD AND WEST OF PIKE AVENUE FOR A PERIOD NOT TO EXCEED 180 DAYS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Berry and seconded by Alderwoman Robinson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). The ordinance was read a second time and held at the request of the sponsor, Mayor Hays. A public hearing was scheduled for 7:05 p.m. on Monday, February 27, 2006.

PUBLIC COMMENTS-----

Alderman Thomas said people in his area had questions regarding sidewalks in a specific location (inaudible). Mayor Hays said two council members and the Mayor could request a waiver. Alderwoman Robinson asked if the planning department could insert a date for completion of requirements specified in a Special Use ordinance before permits are issued. Alderman Thomas said there are rusty sign posts in Ward 2. Alderman Bryant advised a Public Forum will be held at the Laman Library on February 15, 2006, from 2:00 p.m. - 4:00 p.m. to discuss the Lake Maumelle Watershed Project. Alderman Witcher announced City Offices will be closed Monday, February 20, 2006, in observance of President's Day. Garbage, trash and recycling routes will be delayed one day. The Fireman's Cookbook has been selling well since the previous announcement. If anyone wants one, they can contact Peggy Borel at the Central Fire Station. Alderman Parker asked Mayor Hays about a letter from Little Rock Mayor Jim Dailey regarding smoke free public places. *Mayor Hays recalled O-06-20.* Mayor Hays acknowledged Ms. Lisa Ferrrell who was in the audience and looked forward to working with the group on Improvement District No. 25. Mayor Hays also recognized State Representative Sharon Dobbins who was present and thanked her for serving as a State Legislator and thanked her husband Dwayne Dobbins for his service as a former City Council Member and State Representative for North Little Rock. Mayor Hays wished his wife Linda a Happy Wedding Anniversary. Ms. Sonny McArthey distributed photographs of vehicles parked (on the grass) in yards in the city and asked the council to consider a way to remedy the problem and added this is creating unsanitary spaces. Mayor Hays asked code enforcement to look into the situation. Alderman Hight has visited with Ms. McArthey and asked her to come to the meeting regarding the situation. This is an ongoing issue a lot of people are concerned about. There are problems with people operating businesses out of their homes without proper zoning or licenses.

There being no further business to come before the Council, and on the motion of Alderwoman Robinson and seconded by Alderman Witcher, and by consent of all members present, the meeting adjourned at 9:20 p.m. (7/0), until the next regular meeting to be held on Monday, February 27, 2006, at seven o'clock p.m. in the City Council Chamber in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS

ATTEST: DIANE WHITBEY, CITY CLERK